

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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|--|---|---|
| Applicant's or agent's file reference 5281.01 | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) | |
| International application No. PCT/US01/04946 | International filing date (day/month/year) 07/03/2001 | Priority date (day/month/year) 07/03/2000 |
| International Patent Classification (IPC) or national classification and IPC G06F17/30 | | |
| Applicant DISCOVERY COMMUNICATIONS, INC. | | |

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

I ☒ Basis of the report

II ☐ Priority

III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability



IV ☐ Lack of unity of invention

V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

VI ☐ Certain documents cited

VII ☐ Certain defects in the international application

VIII ☐ Certain observations on the international application

| | |
|---|---|
| Date of submission of the demand 03/10/2001 | Date of completion of this report 11.04.2002 |
| Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465 | Authorized officer Guettlich, J Telephone No. +49 89 2399 2688 <div style="text-align: right;">  </div> |

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US01/04946

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-88 as originally filed

Claims, No.:

1-52 as originally filed

Drawings, sheets:

1/59-59/59 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

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EXAMINATION REPORT**

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☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | |
|-------------------------------|-----------------------------|
| Novelty (N) | Yes: Claims 1-7,30-31,33-52 |
| | No: Claims 8-29,32 |
| Inventive step (IS) | Yes: Claims |
| | No: Claims 1-52 |
| Industrial applicability (IA) | Yes: Claims 1-52 |
| | No: Claims |

2. Citations and explanations
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US01/04946

Reference is made to the following documents:

- 321 D1: WO 99 12349 A (DISCOVERY COMMUNICATIONS INC), 11 March 1999,
cited in the application
- 291 D2: WO 99 44144 A (HEUTSCHI THEODOR; INTERNOVA HOLDING AG (CH)),
2 September 1999
- 284 D3: WO 95 15649 A (DISCOVERY COMMUNICATIONS INC; HENDRICKS
JOHN S (US)), 8 June 1995, cited in the application
- 258 D4: RAUCH T ET AL: 'Enabling the book metaphor for the World-Wide-Web:
disseminating on-line information as dynamic Web documents' IEEE
TRANSACTIONS ON PROFESSIONAL COMMUNICATION, IEEE INC.
NEW YORK, US, vol. 40, no. 2, June 1997, pages 111-128, XP002142136,
ISSN: 0361-1434

Re Item V

**Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step
or industrial applicability; citations and explanations supporting such statement**

- V.1 The subject-matter of claims 8-27 is not new (Art.33(2) PCT), because the
claimed subject-matter is identical to the one claimed in D1 (claims 11 and 33-51).
- V.2 The subject-matter of claims 1-7 and 33-52 does not involve an inventive step and
does not satisfy the criterion set forth in Article 33(3) PCT for the following
reasons:
- D1 describes a 'world watch live' system without mentioning the use of an
electronic book viewer as a display and communications device. This description
includes details about
- actual or perceived remote camera control (selection of certain views)
 - use of web site, administration units, switches, communication devices
 - use of wide angle lenses and the related compensation of distortion
 - panning as a function of activity, etc.
 - display functionality (e.g. tiling, PIP)

The problem to be solved by the present invention may therefore be regarded as
how to provide an alternative end user terminal for the control of remote cameras

in a 'world watch live scenario'.

From D2 it is generally known that an electronic book viewer is able to obtain any kind of information from the Internet (p.4, 3rd paragraph) with the help of usual control buttons/functions (p.11, last paragraph). The use of different media for the data transfer is also mentioned (p.3, 2nd paragraph).

Therefore, choosing an electronic book viewer is merely one of several straightforward possibilities from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill, in order to solve the problem posed.

V.3 The subject-matter of claims 28, 29 and 32 is not new (Art.33(2) PCT), because an electronic book capable to download data from the Internet and comprising related link/control functions is already known from D2.

V.4 The subject-matter of claims 30 and 31 cannot be considered as involving an inventive step (Art.33(3) PCT).

Although it is not explicitly mentioned in D2 that a television set or a personal computer can be used for the display of an electronic book, the knowledge of such alternatives seems to be generally available for a person skilled in the art (see citations in D3 and D4).

V.5 The claimed invention is considered industrially applicable in the field of communication networks in accordance with Art.33(4) PCT.